

## Civil Service

Civil service will not be accepted without a signed Praeceptum. A Praeceptum is a letter of instruction to the Sheriff to include:

1. Description of documents to be served
2. Name of each person or business to be served and their physical address or location
3. Personal identifiers if available, i.e.: date of birth, social security number, physical description etc. (A financial institution usually will not accept writs of execution without a date of birth, social security number or account number.)
4. Special service instructions if applicable
5. Requesters signature, mailing address, phone number

The original document and ***enough service copies for each party served must be provided.*** Service fees are assessed for each original document at \$50.00 per defendant and ***must be paid in advance.***

Sheriff's Service Fees are set according to Madison County Resolution #7-2001 as follows:

Section 2. For the services provided in 7-32-2141 MCA, subsections (1) (a) through (1) (n), the sheriff shall receive the following fees:

- (a) for the service of summons and complaint on each defendant, \$50;
- (b) for making a return of a summons for a person not found in the county, in addition to actual mileage traveled, \$50;
- (c) for levying and serving each writ of attachment of execution on real or personal property, \$50;
- (d) for service of attachment on the body or order of arrest on each defendant, \$50;
- (e) for the service of affidavit, order, and undertaking in claim and delivery, \$50;
- (f) for serving a subpoena, \$50 for each witness summoned;
- (g) for serving writ of possession or restitution, \$50;
- (h) for trial of the right of property or damages, including all services except mileage, \$50;
- (i) for taking bond or undertaking in any case authorized by law, \$50;
- (j) for serving every notice, rule, or order, \$50 for each person served;
- (k) for a copy of any writ, process, or other paper when demanded or required by law, \$1 for each page;
- (l) for posting notices and advertising any property for sale on execution or under any judgment or order of sale, exclusive of cost of publication, \$50;
- (m) for holding any sheriff's sale for personal or real property on execution or under any judgment or order of sale, \$100;
- (n) for cancellation or postponement of sheriff's sale, \$50.

The original document with return of service will be filed with the issuing court unless it is requested in the Praeceptum to be returned to the officer, agent or attorney who sent it.